



January 29, 2002

Docket Management System  
U.S. Department of Transportation  
400 Seventh Street, SW  
Room: Plaza 401  
Washington, D.C. 20590

Re: Docket No. FAA-2001-10999  
Criminal History Records Checks

Dear Sir or Madame:

On January 17, 2002, the Air Transport Association of America, Inc. (ATA) and the Regional Airline Association submitted comments on the FAA's final rule related to Criminal History Records Checks (CHRC), 66 Fed. Reg. 63474, effective when published on December 6, 2001 (the Rule). As procedures were implemented to comply with the Rule's requirements, an additional issue on which our members need guidance has arisen.

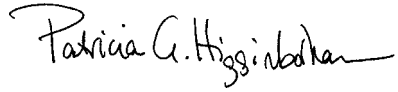
**Sec. 108.229(e).** Under this provision, air carriers must "collect, control, and process one set of legible and classifiable fingerprints " for employees and applicants covered by the Rule and forward the fingerprint submission to the FAA. The fingerprints may be "obtained and processed electronically, or recorded on fingerprint cards." Sec. 108.229 (e)(5)(6) and (7).

Apparently, it is recognized that, for a variety of legitimate reasons, a small segment of the general population does not have classifiable fingerprints. Under these circumstances, air carriers (and airports subject to Part 107) need an alternative procedure for satisfying their CHRC obligations under the Rule.

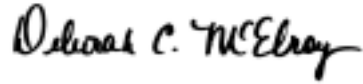
At least one of ATA's members currently has an applicant or employee with no classifiable fingerprints who must undergo a CHRC. We request your immediate guidance on an acceptable alternative procedure.

Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, reading "Patricia G. Higginbotham". The signature is written in a cursive style with a large, looping initial "P".

Patricia G. Higginbotham  
Assistant General Counsel  
Air Transport Association

A handwritten signature in black ink, reading "Deborah C. McElroy". The signature is written in a cursive style with a large, looping initial "D".

Deborah C. McElroy  
President  
Regional Airline Association